

Professional Reliance in Natural Resources
Submission by the Federation of BC Woodlot Associations (FBCWA)

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The Federation of BC Woodlot Licence Associations is a volunteer based organization whose primary roles are to promote BC's woodlot licence program and act in the best interests of woodlot licence holders. Woodlot Licences are small, area based forest tenures. There are 860 in BC and nearly one-half include private land owned by the licence holder. Woodlot licences are predominantly held by non-professionals so, in most cases, professional services are obtained by retaining consultants. Professional reliance for woodlot licences is most commonly associated with the Forest and Range Practices Act (FRPA) and related regulations. It is within this context that the Federation offers the following perspectives on professional reliance as it relates to natural resource management.

The Federation supports professional reliance in the forest (natural resource) sector but acknowledges that the framework has some weaknesses that need to be addressed.

Professional reliance needs to be better defined. In its January 2010 report to the Chief Forester and Ministry of Forests & Range executive, the Association of BC Forest Professionals wrote "*FRPA does not include a description of professional reliance. Professional reliance is not a result or an activity, it is not an objective or strategy, instead, professional reliance is an approach or attitude and involves two or more parties and two or more behaviours – one party which accepts or relies upon the other, and another party which accepts responsibility and can be held accountable.* For professional reliance to be a cornerstone of natural resource management in this province, and something that the public can trust and have confidence in, it has to be better defined. The scope of professional practices needs to be refined and focussed on what's important. Professional reliance needs to be much more than an approach or an attitude.

The roles and responsibilities between professionals (and their associations) and government decision makers need to be more clearly delineated. All too often, third parties (such as woodlot licensees) find themselves in the gray zone between relying on a qualified professional and trying to satisfy a decision maker. Meeting expectations can be very different than complying with legislation. FRPA was designed to establish a framework whereby resource values are identified and managed for or protected through the approval of plans that are consistent with objectives established by government. Where higher level plans exist and are current, they provide clear guidance to professionals who prepare plans and prescribe practices. Where they don't exist or are out-of-date, it is unfair to single out professional reliance as the problem.

From the Federation's perspective, professional accountability under FRPA needs to be strengthened. Under, FRPA, if a professional makes a mistake or acts outside their scope of practice it is the woodlot licensee that is held accountable. Keep in mind, this is the same licensee that other legislation determined was not qualified to carry out the work in the first place! For the public or anyone else to trust professional reliance, the legal framework must correctly assign and exact accountability to the person responsible.

In summary, professional reliance is a key and acceptable component of natural resource management regime in BC but it needs improvements. Professional reliance needs to be better defined, the roles and responsibilities between professionals (and their associations) and government decision more clearly delineated, and the accountability framework needs to be strengthened.